

Effective 5/10/2016

53-17-201 Surviving spouse and children health coverage for line-of-duty death.

- (1)
- (a) Subject to Subsection (1)(b), and in accordance with this section, an employer shall allow the surviving spouse and children of a member whose death is classified by the Utah State Retirement Office as a line-of-duty death under the provisions of Title 49, Utah State Retirement and Insurance Benefit Act, to remain eligible for health coverage under the employer's group health plan as if the surviving spouse was an employee of the employer.
 - (b)
 - (i) The employer shall pay 100% of the premium costs and, if the health coverage is a high-deductible plan, the employer share of any contribution into a health savings account for the surviving spouse and dependent children as described under Subsections (1)(a) and (2), and may not require payment from the surviving spouse for premium costs or health savings account contributions as a condition of qualifying to continue to receive the health coverage.
 - (ii) For the first 24 months after the line-of-duty death, the employer shall pay the amount specified under Subsection (1)(b)(i).
 - (iii) Beginning 25 months after the line-of-duty death, an employer may pay the amount specified under Subsection (1)(b)(i) through a cost-sharing agreement under Section 53-17-301 associated with the trust fund created under Section 53-17-401.
- (2) An employer shall allow a surviving spouse and children to remain eligible to receive health coverage from the employer under this section at the option of the surviving spouse:
- (a) for health coverage for the surviving spouse, until the surviving spouse becomes eligible for Medicare; and
 - (b) for health coverage of a child, until the child reaches the age of 26.
- (3) This section does not apply to a member who:
- (a) does not qualify for a line-of-duty death benefit under Title 49, Utah State Retirement and Insurance Benefit Act;
 - (b) at the time of death, did not receive or qualify to receive employer group health coverage; or
 - (c) is covered under Section 49-20-406.

Amended by Chapter 261, 2016 General Session